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AUDITOR-CONTROLLER

**COUNTY OF LOS ANGELES
DEPARTMENT OF AUDITOR-CONTROLLER**

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January 26, 2007

TO: Supervisor Zev Yaroslavsky, Chairman
Supervisor Gloria Molina
Supervisor Yvonne B. Burke
Supervisor Don Knabe
Supervisor Michael D. Antonovich

FROM: J. Tyler McCauley *tm*
Auditor-Controller

SUBJECT: **DEPARTMENT OF JUSTICE SETTLEMENT AGREEMENT – MONTHLY
MONITORING RESULTS – DECEMBER 2006**

As requested, attached are the results of the Auditor-Controller (A-C) monitoring review of the County's juvenile halls for December 2006. The monitoring reviews are used to measure Los Angeles County's (County) progress in implementing the 52 recommendations (referred to as paragraphs) contained in the Department of Justice (DOJ) settlement agreement. This memo reports the results of our monitoring for December 2006.

Background

In December 2004, the Auditor-Controller (A-C) assumed oversight responsibility of the Quality Assurance Unit (QA Unit) as directed by your Board. The QA Unit was established to conduct on-going monitoring of the County's progress implementing the paragraphs contained in the DOJ settlement agreement. The QA Unit consists of staff from the A-C, Probation Department (Probation), the Department of Mental Health (DMH), and Juvenile Court Health Services (JCHS). The QA Unit works and consults with DOJ monitors regularly. The DOJ monitors are a group of subject matter experts designated by the DOJ to assess the County and the Los Angeles County Department of Education's (LACOE) progress to implement the 52 paragraphs.

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LACOE has been designated as the lead agency for five of the 52 paragraphs and monitors their own progress implementing these paragraphs. LACOE reports are submitted to the A-C and DOJ monitors monthly. The status of each of LACOE's paragraphs is discussed beginning on page 10 of the attachment to this report.

Implementation Status Summary

The compliance rate noted below for each paragraph is based on our testwork, discussions with the DOJ monitors and the compliance rates for overlapping paragraphs. For example, use of force includes paragraphs 18, 28, 29, and 32.

As of January 1, 2007, 20 of the 52 paragraphs have been fully implemented. For five of the remaining 32 paragraphs, LACOE staff monitor the implementation status. For the remaining 27 paragraphs, we noted the following:

- 9 paragraphs showed a 90% compliance rate.
- 8 paragraphs showed an 80% compliance rate.
- 7 paragraphs showed a 70% compliance rate.
- 3 paragraphs showed a less than 70% compliance rate.

The compliance rate for 25 of the 27 paragraphs did not significantly change from the compliance rates reported in our December 21, 2006, report to your Board. However, the compliance rate for Paragraph 13 (Counseling Services) decreased from 90% compliance to 50% compliance. During the monitoring period, DMH staff did not sufficiently document administering a second Brief Symptom Inventory (BSI) to the minors at one juvenile hall. The BSI is a standardized instrument that reflects subjective distress. The initial BSI is administered to a minor upon admission. A second BSI is administered three weeks after admission to determine if there has been any improvement in the clients' symptoms.

The compliance rate for Paragraph 55 (Youth Hygiene) decreased from 80% to 70%. This was due to conditions observed by A-C staff and DOJ monitors during a walk-through inspection of living quarters at one juvenile hall. The light fixtures in the two rooms inspected were broken and in danger of falling from their ceiling mounts.

Before a paragraph is considered implemented, it must undergo formal monitoring by the DOJ monitors for one year. During the formal monitoring period, the DOJ monitors evaluate the County's compliance with the paragraphs' provisions. The DOJ will classify paragraphs as implemented if the County maintains substantial compliance with the paragraphs' provisions during the formal monitoring period.

Since our December 2006 status report, the project manager revised the targeted dates to request formal monitoring for the 27 paragraphs. LACO also revised the dates they

planned to request formal monitoring. The updated target dates for each paragraph are included in this report.

The details of our December 2006 monitoring review for the 27 paragraphs and the compliance rate for each are addressed in the attached report.

Implementation Status of Key Paragraphs

Based on discussions with the DOJ monitors, Probation and other members of the implementation team, we classified seven of the 27 paragraphs as key paragraphs. The paragraphs focus on the County's need to improve the provision of essential mental health services to children assigned to the juvenile halls and a reduction in the level of violence. The following are the seven paragraphs with a brief description, the current monitoring results, and Probation's targeted date to request formal monitoring.

Paragraph 10:

The County shall develop and implement policies, procedures, and practices for mental health assessments to timely and accurately diagnose mental illness, substance abuse disorders, and mental retardation, including potential suicidality. The County shall ensure that youth whose serious mental health and developmental disability needs cannot be met at the facility are transferred to settings that meet their needs.

The monitoring results for the three juvenile halls showed an overall average compliance rate of approximately 83%. Generally, the compliance rate at each juvenile hall did not significantly vary from the overall average rate. To improve the implementation of the paragraph, DMH intake staff and follow-up psychiatry staff need to further improve their communication and provide more supporting documentation for their diagnoses.

According to Probation, the County is on schedule to request formal monitoring by the target date.

Targeted Date to Request Formal Monitoring: February 2007

Paragraph 18:

The County shall revise policies, procedures, and practices to limit uses of restraints for mental health crises to circumstances necessary to protect the youth and other individuals, for only as long as is necessary, and to accomplish restraint in a safe manner.

For our December 2006 monitoring review, there were no reportable incidents in which soft restraints were used. Probation staff assigned to the specialized units (i.e. the

special handling units and medical units) must be trained in the use of soft restraints. All staff have received the required training except for staff who are on vacation or off due to industrial injuries.

According to Probation, the County is on schedule to request formal monitoring by the target date.

Targeted Date to Request Formal Monitoring: January 2007

Paragraph 22:

The County and LACOE shall ensure that all staff assigned to the juvenile halls who work with youth are sufficiently trained in suicide prevention so that they understand how to prevent and respond to crises, including practical matters such as location and use of a cut-down tool in the event of a youth's attempted hanging.

As of December 2006, 1,453 staff have received training. One hundred-five staff (41 Probation staff, 46 LACOE staff, 10 DMH staff and 8 JCHS staff) still need training. Probation has scheduled 24 training sessions during January 2007, that the 105 staff plan to attend.

In January 2007, we plan to attend a selected sample of suicide prevention classes to determine if:

- The classes start on time.
- Materials are present (PowerPoint presentation, handouts, etc.)
- Pre and Post tests are administered and graded.
- Cut-down tool proficiency demonstration is administered.
- Reconcile the attendance sheet to staff present.
- Ensure staff stay for the entire class.
- Ensure the curriculum is followed by the instructors.

According to Probation, the County is on schedule to request formal monitoring by the target date.

Targeted Date to Request Formal Monitoring: January 2007

Paragraph 24:

The County shall ensure that licensed mental health professionals provide timely assessment and daily reassessment of youth deemed at risk for suicidal behaviors, or more frequent reassessment as appropriate, as well as appropriate follow-up assessment once youth are discharged from suicide precautions.

Youth placed on Level III supervision must be seen by DMH staff on a daily basis. Youth placed on Level II supervision must be seen by DMH staff every three days. Our testwork noted that youth placed on Level III supervision are seen daily by DMH staff 91% of the time and youth placed on Level II supervision are seen every three days by DMH staff 93% of the time.

According to Probation, the County is on schedule to request formal monitoring by the target date.

Targeted Date to Request Formal Monitoring: February 2007

Paragraph 27:

The County shall provide sufficient staff supervision to keep residents reasonably safe from harm and allow rehabilitative activities to occur successfully.

Last month, we compared the number of staff listed in Probation's item control report for August 2005 to the number of staff listed in the November 2006 item control report. The comparison showed an increase of 373 detention services officers assigned to the three juvenile halls. Probation's item control report for December 2006 identified an additional 53 detention services officers assigned to the three juvenile halls.

For our December 2006 monitoring review, we did not have an opportunity to complete a review of Probation's staffing ratios for a selected sample of units within the juvenile halls and use of overtime. However, we are currently reviewing Probation's staffing ratios and use of overtime and will report the results in next month's report.

According to Probation, the County is on schedule to request formal monitoring by the target date.

Targeted Date to Request Formal Monitoring: August 2007

Paragraph 28:

The County shall develop and implement policies, procedures, and practices to restrict the use of oleoresin capsicum (OC) spray to appropriate circumstances, enable supervisors to maintain appropriate controls over spray use and storage, restrict the carrying of OC spray to only those individuals who need to carry and use it, prevent whenever possible the use of OC spray on populations for whom its use is contraindicated or contrary to doctors' instructions, and ensure that decontamination occurs properly.

Oleoresin capsicum, "pepper spray," is a pepper based non-lethal chemical restraint. Minors who are sprayed with OC spray are to be decontaminated by flushing the

sprayed area with cold water. Probation developed policies governing the use of OC spray that conform to the above requirements. During the month of November 2006, 12 separate incidents occurred in which staff used OC spray on minors. One incident occurred at Los Padrinos Juvenile Hall, eight incidents occurred at Central Juvenile Hall, and three incidents occurred at Barry J. Nidorf Juvenile Hall. According to the investigation reports, the use of OC spray in 11 of the 12 incidents was appropriate. For the remaining incident, the minor was taking psychotropic medication. However, the probation officer did not attempt physical intervention prior to using the OC spray as required. The probation officer involved in the inappropriate use of OC spray was disciplined. All 12 of the youth received the appropriate medical attention within 30 minutes of being sprayed with OC.

According to Probation, the County is on schedule to request formal monitoring by the target date.

Targeted Date to Request Formal Monitoring: February 2007

Paragraph 32

The County shall develop and implement a system for review of uses of force and alleged child abuse by senior management so that they may use the information gathered to improve training and supervision of staff, guide staff discipline, and/or make policy or programmatic changes as needed.

For our December 2006 monitoring review, a total of 74 use of force incidents occurred in the three juvenile halls, 14 at Barry J. Nidorf Juvenile Hall, 20 at Los Padrinos Juvenile Hall and 40 at Central Juvenile Hall. Of the 74 minors involved in the uses of force, 67 (91%) received medical treatment within 30 minutes of the use of force. The remaining seven minors received medical treatment within an hour of the use of force. Probation staff did not always report the use of force to management within 48 hours of the incident as required. We sampled 30 use of force packets and noted eight (27%) of the 30 packets were submitted for review ranging from three to seven days after the use of force incident.

Targeted Date to Request Formal Monitoring: May 2007

Planned Monitoring Activities

At their meeting of December 19, 2006, your Board directed Probation and other involved departments to submit an updated comprehensive plan of action to implement the remaining paragraphs. On January 4, 2007, Probation issued the updated action plan. For each paragraph not undergoing formal monitoring or implemented, the plan listed the individual tasks that still need to be completed. We plan to work with

Probation and the other involved departments to report on the number of tasks identified in the action plan that were completed during our monitoring period.

If you have any questions, please contact me or have your staff call Don Chadwick at (626) 293-1102.

Attachment

JTM:MMO:dc

c: Robert Taylor, Chief Probation Officer
David E. Janssen, Chief Administrative Officer
Dr. Bruce Chernof, Director, Department of Health Services
Dr. Marvin J. Southard, Director, Department of Mental Health
Dr. Darline P. Robles, Superintendent, Los Angeles County Office of Education
Sachi A. Hamai, Executive Officer, Board of Supervisors
Justice Board Deputies
Children Services Deputies
Education Deputies
Audit Committee
Public Information

**AUDITOR-CONTROLLER
QUALITY ASSURANCE UNIT
MONTHLY MONITORING RESULTS
FOR DECEMBER 2006**

Scope of Review

As of January 1, 2007, 20 of the 52 paragraphs are in full compliance. For five of the remaining 32 paragraphs, LACOE staff monitors the implementation status. Our December 2006 monitoring review covered the remaining 27 paragraphs.

The compliance rate that we identified for each paragraph is based on our testwork, discussions with the DOJ monitors and compliance rate for the overlapping paragraphs. For example, the Use of Force includes Paragraphs 18, 28, 29, and 32.

PARAGRAPH 10: Assessments

The County shall develop and implement policies, procedures, and practices for mental health assessments to timely and accurately diagnose mental illness, substance abuse disorders, and mental retardation, including potential suicidal. The County shall ensure that youth whose serious mental health and developmental disability needs cannot be met at the facility are transferred to settings that meet their needs.

Current Compliance Rate: 83%

Comments:

The monitoring results for the three juvenile halls showed an overall average compliance rate of approximately 83%. Generally, the compliance rate at each juvenile hall did not significantly vary from the overall average rate. To improve the implementation of the paragraph, DMH intake staff and follow-up psychiatry staff need to further improve their communication and provide more supporting documentation for their diagnoses.

PARAGRAPH 11: Treatment Planning

The County shall develop and implement policies and procedures, and practices for interdisciplinary treatment planning for youth with serious mental health needs, which allow for the ongoing identification, goal setting, and monitoring of youths' target symptoms. As permitted by law, a representative of LACOE shall share information with regard to the youth's academic performance and school-related behaviors, and shall also be responsible for sharing needed information from the treatment planning process with education professionals serving those youth.

Current Compliance Rate: 76%

Comments:

Based on documentation maintained by Probation staff, it appears that DMH services were provided to the minors. However, the minors' case files lack adequate documentation to support the services.

PARAGRAPH 12: Case Management

The County shall develop and implement policies, procedures, and practices for case management, which would allow for the implementation of the treatment plans and ensure that treatment planning follows each youth from facility to facility.

Current Compliance Rate: 49%

Comments:

Generally, a case plan was developed for each minor sampled. However, the case plans lack specificity and there was no documentation of DMH staff contacting the minors' parents.

PARAGRAPH 13: Counseling Services

The County shall develop and implement policies, procedures and practices to ensure the availability of sufficient and adequate counseling services that meet the goal of ameliorating target symptoms of identified mental illness.

Current Compliance Rate: 50%

Comments:

The compliance rate for Paragraph 13 (Counseling Services) decreased from 90% compliance to 50% compliance. During the monitoring period, DMH staff did not sufficiently document administering a second Brief Symptom Inventory (BSI) to the minors at one juvenile hall. The BSI is a standardized instrument that reflects subjective distress. The initial BSI is administered to a minor upon admission. A second BSI is administered three weeks after admission to determine if there has been any improvement in the clients' symptoms.

PARAGRAPH 15: Individualized Behavior Modification

The County shall develop and implement individualized behavior modification programs for individual youth where appropriate. If warranted, LACOE will develop and implement Behavior Support Plans which will be incorporated into youths' Individual Learning Plans. If a special education pupil requires a Behavior Support Plan or Behavior Intervention Plan, the IEP team shall include this need in the IEP.

Current Compliance Rate: 70%

Comments:

The DOJ monitor and DMH management have not developed a specific audit tool for this paragraph. DMH management stated that the type of intervention addressed in this paragraph is rare and does not lend itself to regular sampling and auditing. The DOJ Monitor and DMH indicated that the Individualized Behavior Modification Planning process outlined in paragraph 33 addresses the minors' needs related to this paragraph.

PARAGRAPH 16: Substance Abuse

The County shall develop and implement policies, procedures, and practices to address substance use disorders appropriately.

Current Compliance Rate: 70%

Comments:

The compliance rate is based on our assessment of the initial screening process, the drug education program, and the follow-up process. Generally, the screening process is sufficient. However, the County needs to improve the drug education/drug awareness and follow up process. For example, on a voluntary basis, Atlantic Recovery, Tarzana Treatment and Narcotics Anonymous are providing treatment and counseling to the minors at the three juvenile halls. However, without a contract specifying the types of services to provide the minors, the current level of service provided by the agencies on a voluntary basis is insufficient.

PARAGRAPH 18: Restraints

The County shall revise policies, procedures, and practices to limit uses of restraints for mental health crises to circumstances necessary to protect the youth and other individuals, for only as long as is necessary, and to accomplish restraint in a safe manner.

Current Compliance Rate: 90%

Comments:

For our December 2006 monitoring review, there were no reportable incidents in which soft restraints were used. Probation staff assigned to the specialized units (i.e. the special handling units and medical units) must be trained in the use of soft restraints. All staff have received the required training except for staff who are on vacation or off due to industrial injuries.

According to Probation, the County is on schedule to request formal monitoring by the target date.

PARAGRAPH 22: Suicide Prevention

The County and LACOE shall ensure that all Juvenile Hall and LACOE staff who works with youth is sufficiently trained in suicide prevention so that they understand how to prevent and respond to crises, including practical matters such as location and use of a cut-down tool in the event of a youth's attempted hanging.

Current Compliance Rate: 93%

Comments:

As of December 2006, 1,453 staff have received training. One hundred-five staff (41 Probation staff, 46 LACOE staff, 10 DMH staff and 8 JCHS staff) still need training. Probation has scheduled 24 training sessions during January 2007 that the 105 staff plan to attend.

In January 2007, we plan to attend a selected sample of suicide prevention classes to determine if:

- The classes start on time.
- Materials are present (PowerPoint presentation, handouts, etc.)
- Pre and Post tests are administered and graded.
- Cut-down tool proficiency demonstration is administered.
- Reconcile the attendance sheet to staff present.
- Ensure staff stay for the entire class.
- Ensure the curriculum is followed by the instructors.

PARAGRAPH 23: Sharing of Information

The County and LACOE shall develop and implement policies, procedures, and practices to ensure that arresting officers, probation, medical, education, and mental health staff share appropriate information regarding potentially suicidal or self-harming youth. The County shall ensure that appropriate outside officials and family members are notified following a suicide attempt.

Current Compliance Rate: 90%

Comments:

We sampled 27 recently submitted Screening Forms at the three juvenile halls and noted that the Screening Forms were complete. However, in the past the arresting officers have not consistently completed the Screening Forms as required. For

example, the officers do not always include the minors' medical history on the screening forms or have the minors sign the forms. The Probation Department needs to train all intake officers in the new procedure and ensure that arresting officers appropriately complete the Screening Forms before placing the arrestees at the juvenile halls.

PARAGRAPH 24: Assessment

Criteria: *The County shall ensure that licensed mental health professionals provide timely assessment and daily reassessment of youth deemed at risk for suicidal behaviors, or more frequent reassessment as appropriate, as well as appropriate follow-up assessment once youth are discharged from suicide precautions.*

Current Compliance Rate: 92%

Comments:

The overall compliance rate is 92%. Youth placed on Level III supervision must be seen by DMH staff on a daily basis. Youth placed on Level II supervision must be seen by DMH staff every three days. Our testwork noted that youth placed on Level III supervision are seen daily by DMH staff 91% of the time and youth placed on Level II supervision are seen every three days by DMH staff 93% of the time.

PARAGRAPH 25: Management of Suicidal Youth

Criteria: *The County and LACOE shall develop and implement policies, procedures, and practices to ensure that mental health staff are sufficiently involved with probation and education staff in the management of youth exhibiting suicidal behaviors, including creation of individual behavior modification programs (County) and, if needed, creation for a youth of a Behavior Support Plan or a Behavior Intervention Plan (LACOE), and decisions about appropriate clothing, bedding, and housing (County).*

Current Compliance Rate: 80%

Comments:

Probation staff are providing adequate supervision of youth exhibiting suicidal behaviors. The Individualized Behavior Modification Plan (IBMP) committees are reviewing self-harm incidents. A policy requiring building supervisors to promptly review and evaluate attempted suicides that occur in their units is being drafted and is anticipated to be forwarded to the DOJ monitors for review by the end of January 2007. The policy will also require a tracking system to ensure all incidents are assigned a unique identifier, i.e., identifying sequential numbers, properly reported, routed and maintained in a centralized location.

PARAGRAPH 26: Care for Self – Harming Youth

Criteria: *The County shall develop a continuum of services and responses to meet the needs of self-harming youth, including revised supervision practices to minimize incidents of self-harm and appropriate access to hospital services and specialized residential facilities.*

Current Compliance Rate: 85%

Comments: To improve the current compliance rate, Probation needs to complete a comprehensive evaluation of all living areas within the juvenile halls.

PARAGRAPH 27: Staffing

Criteria: *The County shall provide sufficient staff supervision to keep residents reasonably safe from harm and allow rehabilitative activities to occur successfully*

Current Compliance Rate: 80%

Comments:

Last month, we compared the number of staff listed in Probation's item control report for August 2005 to the number of staff listed in the November 2006 item control report. The comparison showed an increase of 373 detention services officers assigned to the three juvenile halls. Probation's item control report for December 2006 identified an additional 53 detention services officers assigned to the three juvenile halls.

For our December 2006 monitoring review, we did not have an opportunity to complete a review of Probation's staffing ratios for a selected sample of units within the juvenile halls and use of overtime. However, we are currently reviewing Probation's staffing ratios and use of overtime and will report the results in next month's report.

PARAGRAPH 28: Chemical Restraint

The county shall develop and implement policies, procedures, and practices to restrict the use of oleoresin capsicum (OC) spray to appropriate circumstances, enable supervisors to maintain appropriate controls over spray use and storage, restrict the carrying of OC spray to only those individuals who need to carry and use it, prevent whenever possible the use of OC spray on populations for whom its use is contraindicated or contrary to doctors' instructions, and ensure that decontamination occurs properly.

Current Compliance Rate: 80%

Comments:

Oleoresin capsicum, "pepper spray," is a pepper based non-lethal chemical restraint. Minors who are sprayed with OC spray are to be decontaminated by flushing the

sprayed area with cold water. Probation developed policies governing the use of OC spray that conform to the above requirements. During the month of November 2006, 12 separate incidents occurred in which staff used OC spray on minors. One incident occurred at Los Padrinos Juvenile Hall, eight incidents occurred at Central Juvenile Hall, and three incidents occurred at Barry J. Nidorf Juvenile Hall. According to the investigation reports, the use of OC spray in 11 of the 12 incidents was appropriate. For the remaining incident, the minor was taking psychotropic medication. However, the probation officer did not attempt physical intervention prior to using the OC spray as required. The probation officer involved in the inappropriate use of OC spray was disciplined. All 12 of the youth received the appropriate medical attention within 30 minutes of being sprayed with OC.

PARAGRAPH 29: Use of Force

The County shall develop and implement a comprehensive policy and accompanying practices governing use of force, ensuring that the least amount of force necessary for the safety of staff, youth residents, and visitors is used on youth.

Current Compliance Rate: 95%

Comments:

The Probation Department has trained its employees in "Safe Crisis Management," which emphasizes programming and de-escalation techniques. The training also included the proper use of physical and chemical restraints. Although use of force across all three juvenile halls has declined, individual juvenile halls have experienced an increase in certain types of force, i.e., OC spray. Although Probation has implemented policy and training to comply with this paragraph, the DOJ monitor will not grant formal monitoring until the related paragraphs, 18, 28 and 32, are also ready for formal monitoring.

PARAGRAPH 31: Child Abuse Investigation

The County shall develop and implement a system for the timely, thorough, and independent investigation of alleged child abuse.

Current Compliance Rate: 50%

Comments:

Probation's Child Abuse Investigation Unit (Unit) consists of five investigators. For December 2006, Probation did not complete their investigations for 14 of the 16 cases sampled within the 30-day targeted timeframe established by the Department. The 14 cases were opened in October/November 2006 and, as of December 31, 2006, the investigations were not completed. The Child Abuse Investigation Unit staff was unable to provide an explanation as to why the investigations were not being completed in a timely manner. In addition, Probation has yet to establish an "Office of Independent Review" staffed by an independent counsel (or like individual), who is not an employee

of the Department. However, Probation has requested County Counsel to identify an individual within County Counsel to serve as an independent counsel.

PARAGRAPH 32: Use of Force Review

The County shall develop and implement a system for review of uses of force and alleged child abuse by senior management so that they may use the information gathered to improve training and supervision of staff, guide staff discipline, and/or make policy or programmatic changes as needed.

Current Compliance Rate: 80%

Comments:

For our December 2006 monitoring review, a total of 74 use of force incidents occurred in the three juvenile halls, 14 at Barry J. Nidorf Juvenile Hall, 20 at Los Padrinos Juvenile Hall and 40 at Central Juvenile Hall. Of the 74 minors involved in the uses of force, 67 (91%) received medical treatment within 30 minutes of the use of force. The remaining seven minors received medical treatment within an hour of the use of force. Probation staff did not always report the use of force to management within 48 hours of the incident as required. We sampled 30 use of force packets and noted eight (27%) of the 30 packets were submitted for review ranging from three to seven days after the use of force incident.

PARAGRAPH 33: Rehabilitation and Behavioral Management

The County shall provide adequate rehabilitative programming and gender-specific programming, where appropriate. The County and LACOE shall provide a facility-wide behavioral management system that is implemented throughout the day, including school time.

Current Compliance Rate: 70%

Comments:

IBMP and Interagency meetings are held weekly. During our monthly audits we review the minutes to the IBMP and Interagency meetings. Beginning in January 2007, we will randomly attend one IBMP meeting a month to determine whether protocols and processes utilized at each facility are consistently applied. The EXCEL program is a complex program and is not yet being administered uniformly among the three juvenile halls. The County has determined that the Life Enhancement and Assessment of Personal Skills (LEAPS) programs will facilitate counseling of minors more effectively than EXCEL and plans to replace EXCEL with LEAPS.

PARAGRAPH 35: Reduce Youth and Youth Violence

The County and LACOE shall develop and implement strategies for reducing youth on youth violence that includes training staff in appropriate behavior management, recognition and response to gang dynamics, and violence reduction techniques.

Current Compliance Rate: 80%

Comments:

The overall incidents of youth on youth violence in the three juvenile halls increased from 174 incidents in October 2006 to 185 incidents in November 2006. Over the last twelve months, the juvenile halls have experienced a reduction in youth on youth violence. It appears that youth on youth violence is tied directly to levels of Probation staff and their training. As Probation continues to increase the number of trained staff at the juvenile halls, a continued reduction of youth on youth violence should result.

We will continue to monitor the youth on youth violence on a monthly basis to determine if this recent increase in the number of incidents of youth on youth violence continues.

PARAGRAPH 41: Medical Records Transfer

The County shall develop and implement an effective system for transferring medical records from one facility to another so that youth receive timely and consistent medical services.

Current Compliance Rate: 75%

Comments:

Medical records are being transferred manually from one juvenile hall to another in a timely manner, and medical staff are documenting when medical records are sent or received. Probation and JCHS managers are meeting monthly to gather information and select an appropriate electronic medical record system that will meet the needs of JCHS staff. At the time of our review, Probation and JCHS have not identified an electronic medical record system or a planned implementation date.

PARAGRAPH 44: Eyeglasses

The County shall ensure that youth in need of eyeglasses receive them in a timely manner.

Current Compliance Rate: 95%

Comments:

On average, minors are receiving their eyeglasses within six days of being examined by the optometrist. The language in the Action Plan defines "timely" as within two weeks of

the optometrist visit. Prior to the implementation of the eye clinic, minors were not receiving their eyeglasses before leaving the juvenile halls.

PARAGRAPH 45: Hygiene

The County shall ensure that medical and pharmaceutical areas are maintained hygienically, and shall establish an infection control program.

Current Compliance Rate: 70%

Comments:

During our December 2006 monitoring review, we inspected the medical modules at each hall that includes six living quarters used by minors, two examination rooms, two restrooms, two storage rooms, a nurses' station and a physician's office. Overall, the medical modules, examination areas and rest rooms, were not clean. The floors were dirty and missing tiles. Nursing staff reported that the custodial staff did not clean the minors' rooms in the medical modules after the rooms were vacated. Consequently, Probation would house minors in rooms that had not been properly sanitized.

To achieve formal monitoring on paragraph 45, Probation needs to amend their contracts with the vendors providing custodial services to the three halls to ensure the services meet the needs of the medical staff. Probation must also monitor the contracts with the custodial services.

Although DOJ approved the action plans and audit tools for this review in September 2005, the primary DOJ monitor for this paragraph requested a revision to the audit tool for this paragraph to ensure a more objective review. We are working with the DOJ monitor to develop an audit tool that meets his expectations.

PARAGRAPHS 46 to 50

Paragraphs 46 through 50 are audited by LACOE's internal auditors under the supervision of LACOE management. The anticipated formal monitoring dates are based on the dates identified in the Department of Justice Settlement Agreement Extension – Leadership and Oversight Responsibility Report, dated January 4, 2007.

PARAGRAPH 46: Special Education

The County and LACOE shall develop and implement a systematic, comprehensive process to locate, screen, identify and provide appropriate services to all youth through age 21 with disabilities who require special education services.

Targeted Date to Request Formal Monitoring: August 2007

PARAGRAPH 47: Related Services

LACOE shall provide related services to special education students with needs for these services.

Targeted Date to Request Formal Monitoring: June 2007

PARAGRAPH 48: Parent Participation

The County and LACOE shall utilize a range of methods to facilitate parent participation in Individualized Educational Program (IEP) meetings.

Targeted Date to Request Formal Monitoring: April 2007

PARAGRAPH 49: Transition Planning and Services

The County and LACOE shall provide adequate transition planning and services for all eligible youth with disabilities.

Targeted Date to Request Formal Monitoring: April 2007

PARAGRAPH 50: Materials, Space and Equipment

The County and LACOE shall ensure that all classes, including those held inside residential units, have appropriate materials, space and equipment.

Targeted Date to Request Formal Monitoring: April 2007

PARAGRAPHS 52 to 55

Paragraphs 52 through 55 are audited by Probation's Management Services Bureau (MSB) auditors. We review MSB's audits on a monthly basis. The percentage of compliance is based on the MSB auditors' reports and our discussions with the DOJ monitor.

PARAGRAPH 52: Fire Safety

The County shall ensure adequate smoke and fire alarm coverage that communicates with appropriate entities; minimize fire-loading; light and mark egress routes adequately; and eliminate electrical hazards. LACOE shall minimize fire-loading and eliminate electrical hazards in areas within LACOE's Control.

Current Compliance Rate: 95%

Comments:

In December 2006, the DOJ monitor indicated that this paragraph will be granted formal monitoring when Probation establishes a comprehensive schedule of fire drills for all

three juvenile halls and documentation that the drills took place, were monitored, timed and recorded.

Probation management indicated they have generated the required documentation and will send it to the DOJ monitor by the end of January 2007.

PARAGRAPH 53: Food Safety

The County shall institute a plan for food preparation, storage, service, and kitchen repairs that eliminate risk of food borne illness.

Current Compliance Rate: 95%

Comments:

In December 2006, the DOJ monitor indicated that this paragraph will be granted formal monitoring in January 2007, retroactive to December 1, 2006. However, the project manager has not received formal written notice from the DOJ monitor granting the paragraph formal monitoring.

PARAGRAPH 54: Medically Necessary Diets

The County shall ensure that those youth requiring special medical diets receive such diets as ordered.

Current Compliance Rate: 95%

Comments:

In December 2006, the DOJ monitor indicated that this paragraph will be granted formal monitoring in January 2007, retroactive to December 1, 2006. However, the project manager has not received formal written notice from the DOJ monitor granting the paragraph formal monitoring.

PARAGRAPH 55: Youth Hygiene

The County and LACOE shall ensure that youth have adequate hygiene opportunities, including sanitary personal hygiene products. The county shall ensure that youth have adequate linens, bedding and clothing.

Current Compliance Rate: 70%

Comments:

In December 2006, the DOJ monitor stated that MSB staff need to do a better job submitting work orders for facility repairs in a timely manner and track the work orders once they are submitted. The compliance rate for Paragraph 55 decreased from 80% to 70%. This was due to conditions observed by A-C staff and DOJ monitors during a walk-through inspection of living quarters at one of the juvenile halls. The walk-through

inspections were a result of comments to the DOJ monitors by Probation staff complaining that six living quarters at the hall were in disrepair. We inspected two of the six units with the DOJ monitors and noted the light fixtures in the rooms were broken and in danger of falling from their ceiling mounts. We informed Probation lead DOJ director of our findings.

Paragraph 56: System

The County and LACOE shall revise and/or institute quality assurance system to ensure implementation of the provisions addressed in this Agreement.

Current Compliance Rate: 85%

Comments:

The County has made a significant commitment of resources and personnel establishing a quality assurance program for the three juvenile halls. Data is being gathered in a variety of areas. Additionally, staff are now completing periodic compliance audits at the juvenile halls.

MSB has developed and completed all but one audit tool for paragraphs 51 to 55 with the assistance of the DOJ Monitor. The final auditing tool is being developed from the modifications to Project 55, implementation of the fire safety program and the reworking of the Paragraph 45 sanitation auditing tool.